

Please cancel Claim 2.

Please incorporate the limitations of Claim 2 into Claim 3 as follows:

3. (Amended) In a surgical method comprising making an incision through the thoracic wall of a patient, and performing a surgical procedure proximate the surface of the heart, the improvement comprising immobilizing a portion of the surface of the heart upon which surgery is to be performed by placing a cardiac immobilizing member that defines at least one partial chamber in substantially fluid tight sealed relationship with the surface of the heart at least partially surrounding the portion of the surface of the heart upon which the surgery is to be performed to define at least one vacuum chamber and partially evacuating said vacuum chamber to secure the cardiac immobilizing device in sealed relationship to the heart and applying a layer of physiologically compatible adhesive between the cardiac immobilizing member and the surface tissue of the heart to fix the position of the cardiac immobilizing device.

Please cancel Claim 4.

Please rewrite Claim 5 to incorporate the limitations of Claim 8 that is now dependent on Claim 5, as follows:

5. (Twice Amended) Apparatus constructed and adapted to immobilize a surface portion of the heart of a patient to enable a surgical procedure to be performed on the heart while the heart is beating comprising:

a cardiac immobilizing member comprising structure defining a partial chamber having edges, the edges being so constructed and configured comprising walls at least partially formed of soft resiliently deformable polymeric material to form a substantially fluid-tight seal with the surface of the heart, said member being so constructed and configured to at least partially surround that portion of the heart upon which the surgical procedure is to be performed and when in sealed relationship with the heart to define with the heart a vacuum chamber; means for partially evacuating the vacuum chamber for securing said cardiac immobilizing member to the heart; and